



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

03 DEC 2003

REPLY TO THE ATTENTION OF

R-19J

Honorable Jennifer M. Granholm
Governor of Michigan
Lansing, Michigan 48933

Dear Governor Granholm:

Thank you for making recommendations on 8-hour ozone air quality designations. Pursuant to the Clean Air Act (CAA), the United States Environmental Protection Agency (EPA) is required to promulgate designations for new or revised standards, such as the 8-hour ozone standard. Earlier this year, we entered into a consent decree that requires us to promulgate 8-hour ozone standard designations by April 15, 2004.

We have reviewed the letter from Michigan Department of Environmental Quality Director, Steven E. Chester, dated July 15, 2003, submitting Michigan's recommendations. Consistent with section 107(d)(1) of the CAA, this letter is to inform you that, based on the information contained in your letter, and in the absence of additional substantiation for your recommendations, EPA intends to make modifications to Michigan's recommended designations and boundaries. If you would like to provide additional information about the areas in question, please provide this information by February 6, 2004, so that we can continue to work with your office as we move forward to make final designations. Also, please note that EPA will address designations of Tribal lands through a separate concurrent process with the Tribes in Michigan.

The CAA defines a nonattainment area as any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant. EPA guidance indicates that Michigan should use the larger of the Consolidated Metropolitan Statistical Area, Metropolitan Statistical Area, or the 1-hour ozone nonattainment area as the presumptive boundary for 8-hour ozone nonattainment areas. The guidance provides 11 factors that Michigan should consider in determining whether to modify the presumptive boundaries. We have reviewed your supporting information to modify the presumptive nonattainment areas.

The enclosure to this letter identifies the counties that should be included in each nonattainment area. We are also providing a written summary of our reasoning for modifying your recommendations, explaining why we believe your recommendation is not consistent with the statutory definition of a nonattainment area in light of the 11 factors provided in our guidance.

EPA has been tracking preliminary 2003 ozone monitoring data and their impact on areas' preliminary 2001-2003 design values. Where preliminary 2001-2003 ozone monitoring data indicate that an area's attainment status will differ from Michigan's recommendation based on 2000-2002 monitoring data, EPA indicates the potential modification to the designation recommendation in the enclosure. Additionally, the EPA will continue to closely review monitoring data for additional differences that may have occurred throughout the remainder of the 2003 ozone season or as a result of data handling procedures to determine if it might affect the State's recommended designations. It is critical for Michigan to expedite submittal of 2003 monitoring data to EPA so that air quality designations and classifications for the 8-hour standard will accurately reflect the States' air quality.

To advance this process, please submit your final 2003 monitoring data into the Air Quality System as quickly as possible, if it has not already been done. In addition, please submit the 8-hour and 1-hour ozone design values and the average expected 1-hour exceedance rate to Stephen Rothblatt, of my staff, by official letter by, December 17, 2003.

We look forward to a continued dialog with Michigan as we work to finalize the designations for the 8-hour ozone standard. We appreciate your efforts and will review any future supporting information Michigan wishes to submit on these recommendations. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Thomas V. Skinner
Regional Administrator

Enclosure

cc: Steven E. Chester, Director
Michigan Department of Environmental Quality

Enclosure

The following table identifies the individual areas and counties comprising those areas within Michigan that EPA intends to designate as nonattainment. Following the table is a description of areas where EPA intends to modify Michigan's recommendation and the basis for such modification. EPA intends to designate as attainment/unclassifiable all counties not identified in the table below.

Area	Michigan Recommended Nonattainment Counties	EPA Recommended Nonattainment Counties
Benton Harbor Area - MI	Berrien	Berrien
Benzie County Area - MI	Benzie	Benzie
Cass County Area - MI	Cass	Cass
Detroit-Ann Arbor Area - MI	Livingston Macomb Monroe Oakland St. Clair Washtenaw Wayne As a separate area: Genesee Lapeer As a separate area: Lenawee	Livingston Macomb Monroe Oakland St. Clair Washtenaw Wayne Genesee Lapeer Lenawee
Grand Rapids-Muskegon-Holland Area - MI	As a separate area: Allegan As a separate area: Muskegon As a separate area: Ottawa	Allegan Kent Muskegon Ottawa
Huron County Area - MI	None	Huron
Kalamazoo-Battle Creek Area - MI	None	Calhoun Kalamazoo Van Buren

Lansing-East Lansing Area - MI	None	Clinton Eaton Ingham
Mason County Area - MI	Mason	Mason

Modifications to Michigan's Recommendations

Detroit-Ann Arbor Area

Michigan recommended the Flint area (Genesee and Lapeer Counties) and Lenawee County as two different nonattainment areas distinct from the Detroit-Ann Arbor Area. A modification was made to include these counties as part of the Detroit-Ann Arbor nonattainment area. Michigan recommended to designate these counties as distinct and separate areas from the greater Detroit-Ann Arbor area for reasons including jurisdictional boundaries, relative separation of the urban centers, and Lenawee County's rural nature. These rationales and supporting data do not provide sufficient basis for creating separate nonattainment areas. The 10 counties in the Detroit area are one airshed and, therefore, the designation should reflect this. In the case of the Flint area (Genesee and Lapeer Counties), it appears the air quality is influenced by emissions from the Detroit-Ann Arbor area. While Lenawee County does not contribute a major percentage of overall emissions to the Detroit-Ann Arbor area, it is upwind and contains a significant population (close to 100,000 people) that is projected to grow.

Grand Rapids Area

Michigan recommended that Allegan County, Muskegon County, and Ottawa County be separate nonattainment areas, and Kent County be an attainment area. Modifications were made to include Allegan, Kent, Muskegon and Ottawa Counties as one nonattainment area. Current monitoring data show that Kent County is now violating the NAAQS, with a 2001-2003 design value of 89 parts per billion ozone. The State recommended to separate the area along 2003 Office of Management and Budget Metropolitan and Micropolitan Area boundaries to allow greater flexibility in control programs, due to disparate design values and transported ozone affecting the area. This rationale does not provide a compelling technical basis for separating a larger nonattainment area into multiple smaller nonattainment areas. The four counties are in the same airshed and, therefore, the designation should reflect this.

Huron County Area

A modification was made to include the Huron County Area as a nonattainment area. This includes Huron County, which contains a monitor that is violating the NAAQS based on preliminary 2001-2003 data.

Kalamazoo-Battle Creek Area

A modification was made to include the Kalamazoo-Battle Creek Area as a nonattainment area. This includes Calhoun County, Kalamazoo County, and Van Buren County. This area contains a monitor that is violating the NAAQS based on preliminary 2001-2003 data

Lansing-East Lansing Area

A modification was made to include the Lansing-East Lansing Area as a nonattainment area. This includes Clinton County, Eaton County, and Ingham County. This area contains a monitor that is violating the NAAQS based on preliminary 2001-2003 data